

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Jonathan Seay,

Petitioner,

v.

Case No. 1:07cv174

Warden, Pickaway Correctional Institution,

Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed December 28, 2007 (Doc. 9).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED** and the Petition is dismissed with prejudice. Absent good showing, any request for leave to appeal *informa pauperis* or request for certificate of appealability will be denied. This action is closed.

IT IS SO ORDERED./